

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAVIER PEREZ,)	
)	
Plaintiff,)	
)	
v.)	No. 08 C 2401
)	
JENNIFER WITHERSPOON, et al.,)	
)	
Defendants.)	

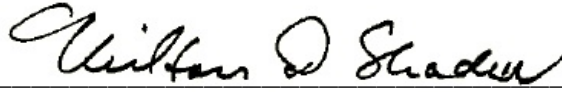
MEMORANDUM ORDER

On April 29, 2008 this Court issued a brief memorandum order that (1) initially addressed the obligation of pro se plaintiff Javier Perez ("Perez") to pay the filing fee in this 42 U.S.C. §1983 action in future installments pursuant to 28 U.S.C. §1915(b)(1)¹ and (2) then went on to require Perez to address his exhaustion or nonexhaustion of administrative remedies, which Section 1997e(a) makes a precondition to institution of any prisoner's lawsuit such as this one. Perez has failed to comply with the April 29 directive to file an appropriate amendment to his Complaint on that score on or before May 15, and the further lapse of nearly a week after that due date without any input from Perez has plainly brought into play this warning that concluded the April 29 memorandum order:

In the absence of such a filing, this Court would be constrained to dismiss both the Complaint and this action pursuant to 42 U.S.C. §1997(e)(a).

¹ All further references to Title 28's provisions will simply take the form "Section--."

Accordingly both the Complaint and this action are dismissed.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive style with a large, stylized "M" and "S".

Milton I. Shadur
Senior United States District Judge

Date: May 21, 2008